

REMARKS

1. In response to the Examiner's request, the Applicant has removed the multiple dependencies from the claims. The Applicant has also made some minor changes to claims 1 and 27 in order to improve the clarity of these claims. These changes were not made in order to avoid the prior art, as the Applicant submits that the unamended claims were not anticipated by the prior art. Old claim 4 and its corresponding dependent claims now appear as new claims 46 to 65. Old claim 5 and its corresponding dependent claims now appear as new claims 79 to 100. Old claim 30 and its corresponding dependent claims now appear as new claims 66 to 78. Old claim 31 and its corresponding dependent claims now appear as new claims 101 to 114.

2. The Examiner has raised a 35 USC 102 novelty objection to claims 1-18, 22-25, 27-30, 31-38, 40, 41, 43 and 44 on the basis of US5,799,157 (Escallon).

3. In response, the Applicant submits that Escallon does not disclose all of the features of claims 1-18, 22-25, 27-30, 31-38, 40, 41, 43 and 44.

4. Escallon describes a system of providing electronic books and electronic forms on computer screens. The electronic forms can be used to perform transactions such as *"purchase orders for goods or services (such as for example travel arrangements and tickets)."*

However, the way in which the Escallon system works is entirely different from the claimed invention.

5. Escallon does not disclose the use of any type of *"sensing device"* and certainly not one which *"when placed in an operative position relative to the form, [senses] at least some of the coded data and generat[es] the indicating data using at least some of the sensed coded data."*

There is no disclosure of a sensing device in Escallon, nor is there any *"coded data"* in the Escallon forms which is capable of being sensed by a sensing device.

6. The Examiner has suggested that the claimed coded data is equivalent to the *"virtual machine coding compiled with the forms"* in column 5, line 53 of Escallon. However, machine code is quite different from the claimed coded data which is indicative of *"an identity of the form"* (claims 1, 5, 27 and 31), *"at least one reference point of the form"* (claims 1 and 27) and *"at least one parameter of the travel service transaction"* (claims 4 and 30).

The data referred to by Escallon is *"machine code"*, also known as *"machine language"*. Machine code is the binary information which a computer processor understands. Humans write computer programs using ASCII words and expressions, computer compilers then compile those programs into the 1's and 0's of machine code which are then passed to the computer processor for processing.

As such, Escallon's *"machine code"* is not like the claimed *"coded data"* which is adapted to be sensed by the sensing device. Nor could Escallon's *"machine code"* be said to be indicative of *"an identity of the form"*, *"at least one reference point of the form"* or *"at least one parameter of the travel service transaction"* as is claimed.

Escallon does not disclose:

- (a) a sensing device;
- (b) coded data which is adapted to be sensed by such a sensing device; nor
- (c) coded data which is indicative of *"an identity of the form"*, *"at least one reference point of the form"* or *"at least one parameter of the travel service transaction."*

Accordingly, the independent claims 1, 27, 46, 66, 79 and 31 are not anticipated by Escallon and the Examiner is respectfully requested to withdraw the objection to these claims and their respective dependent claims.

7. In anticipation of the Examiner suggesting that Wilz (US 5,992,752) discloses a sensing device in the form of a barcode reader and coded data in the form of a barcode and suggesting that Wilz be combined with Escallon in an obviousness objection, the Applicant makes the following arguments:

- (a) The primary focus of Wilz is to provide an Internet browsing system in which a limited number of URLs are encoded as bar codes. When users wish to visit one of the web

sites, they use a bar code scanner to read the bar code, the system identifies the URL associated with the bar code and the Internet browser displays the corresponding web page.

(b) It is clear from a number of passages in Wilz that the barcodes only encode the URL of the destination website along with some command instructions to tell an Internet browser to go to the URL (See col. 20, lines 13-17 and col. 22, lines 10-11).

(c) The barcodes in Wilz do not anticipate the claimed coded data because they are not indicative of "*an identity of the form*", "*at least one reference point of the form*" or "*at least one parameter of the travel service transaction*."

(d) For these reasons the Applicant submits that the combination of Escallon and Wilz does not disclose the claimed invention.

8. Since the claimed invention is not anticipated by Escallon, nor by Escallon in combination with Wilz, the Applicant requests that the Examiner withdraw his novelty and obviousness objections.

9. The Examiner has suggested that a number of claims are indefinite. The Applicant submits that the claims as filed do particularly point out and distinctly claim the subject matter. In order to assist the Examiner's understanding, the Applicant makes the following comments:

(a) The Examiner asks: "*How does any sensing device sense its own movement by itself?*" Claim 3 reads "*the sensing device sensing its movement relative to the form using at least some of the coded data.*" Clearly, the sensing device uses the coded data in order to sense its own movement. One non-limiting example of how this might be achieved is disclosed in the section of the specification beginning on page 30, line 5 entitled "The Netpage Pen."

(b) The Examiner asks: "*How and where is the sensing device maneuvered?*" Claim 1 specifies that the sensing device senses the coded data "*when placed in an operative position relative to the form.*" The sensing device may be placed in this operative position by any number of ways or means.

(c) The Examiner asks: "*What is a surface of a surface-defining means?*" In response the Applicant has amended the claims to read "*a surface of an object*" and submits that this phrase is now clear.

(d) The Examiner asks: "*How ... is the coded data invisible?*" In one non-limiting example, the specification discloses the coded data being printed in infra-red ink which is substantially invisible to the unaided human eye. Other invisible forms of coded data are also envisaged.

(e) The Examiner asks: "*...why is the coded data invisible?*" The coded data is invisible in one embodiment so that users do not see it. The Examiner also asks "*What is visible?*" The claimed forms contain "information relating to a travel service transaction" which the user can see, and coded data which, in one embodiment, the user cannot see.

(f) The Examiner asks: "*What, and why is [the forms] plural?*" The forms are plural because the present invention can be implemented using more than one form containing travel service transaction information.

10. In light of the above arguments the Applicant requests that the Examiner reconsider his objections and allow this application to issue.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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